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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,325	01/26/2001	Akira Ohkado	JA999-163	6739

7590 07/28/2003

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EXAMINER
ARSHAD, UMAR

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 07/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/771,325	Applicant(s) OHKADO, AKIRA	
	Examiner Umar Arshad	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

Specification

The disclosure is objected to because of the following informalities: Lines 4 – 5 on Page 14 contain grammatical errors.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 3, 4, 5, 6, 8, 9, and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "said window" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the predetermined value" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "the other size" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "the other predetermined application program" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 5 recites the limitation "the other predetermined application program" in lines 3 and 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 5 recites the limitation "said application program" in lines 4 and 5. There is insufficient antecedent basis for this limitation in the claim. It is not clear what application program is being specified.

Claim 6 recites the limitation "said window" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 8 recites the limitation "the other size" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 9 recites the limitation "the other predetermined application program" in lines 3 and 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "the other predetermined application program" in lines 3 and 4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 6 rejected under 35 U.S.C. 102(e) as being anticipated by Kanevsky, U.S. Patent No. 6,587,128.

As per claim 1, Kanevsky teaches a window controlling method for an application program of a computer window system (column 2, lines 28 – 42), comprising the steps of:

enlarging said window to a first size larger than the window size used in activating the application program (figure 2, item 204; and column 4, lines 46 - 54) when the volume of the contents to be displayed on said window reaches the predetermined value (column 2, lines 48- 51); and

reducing said window to a second size smaller than the first size when at least a part of the contents to be displayed on said window is erased (figure 2, item 206; it is inherent that the window width is reduced when the content is smaller than the original window size).

As per claim 6, it is rejected with the same rationale as claim 1 (see rejection above).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2, 3, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky in view of Trudeau, U.S. Patent No. 5,987,041.

As per claim 2, which is dependent on claim 1, Kanevsky teaches the method of claim 1 (see rejection above). Kanevsky does not teach the application program to be a chat program. Trudeau teaches an application program that is a chat program (column 1, lines 66-67 and column 2, lines 1-8). It would have been obvious to one skilled in the art at the time of the invention to include Schindler's teachings with Kanevsky's method to allow chat communication between multiple users.

As per claim 3, which is dependent on claim 2, Kanevsky in view of Trudeau teaches the method of claim 2 (see rejection above). Trudeau further teaches a window used in activating the application program and a window of the second size include a message input area (Trudeau, figure 8A, item 702) and a transmission button (Trudeau, figure 8A, item 712), and a window of the other size includes a message input area (Trudeau, figure 8A, item 702), a transmission button (Trudeau, figure 8A, item 712), a history display area (Trudeau, figure 8A, item 704) and a clear button (Trudeau, figure 8A, item 718, and column 11, lines 1 – 16). It would have been obvious to one skilled in the art at the time of the invention to include Trudeau's teachings with Kanevsky's method to create a conversation-enabling interface.

As per claim 7, which is dependent on claim 6, it is of the same scope as claim 2 (see rejection above).

As per claim 8, which is dependent on claim 7, it is of the same scope as claim 3 (see rejection above).

Claims 4, 5, 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky in view of Santos-Gomez, U.S. Patent No. 5,771,042.

As per claim 4, which is dependent on claim 1, Kanevsky teaches the method of claim 1 (see rejection above). Kanevsky does not teach a window of the application program to always be displayed adjacent to a window of another predetermined application program. Santos-Gomez teaches a window of an application program that is always displayed adjacent to a window of another predetermined application program (Santos-Gomez, column 2, lines 57 – 64 and figures 3- 6). It would have been obvious to one skilled in the art at the time of the invention to include Trudeau's teachings with Kanvesky's method to provide user interfaces which increase the flexibility of manipulation of workspaces in a user interface.

As per claim 5, which is dependent on claim 1, Kanevsky teaches the method of claim 1 (see rejection above). Kanevsky does not teach a window of the application program to always be displayed adjacent to a window of another predetermined application program only when the window size of said application program is the first size. Santos-Gomez teaches a window of the application program to always be displayed adjacent to a window of another predetermined application program only when the window size of said application program is the first size (Santos-Gomez, figures 4,5, and 6; windows of the same size are shown adjacent to each other). It would have been obvious to one skilled in the art at the time of the invention to include Trudeau's teachings with Kanvesky's method to provide user interfaces which increase the flexibility of manipulation of workspaces in a user interface.

As per claim 9, which is dependent on claim 6, it is of the same scope as claim 4 (see rejection above).

As per claim 10, which is dependent on claim 6, it is of the same scope as claim 5 (see rejection above).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Young, U.S. Patent No. 5,864,332 teaches a scalable edit window in which keyed-in characters may be previewed, the edit window having a height adjustable in accordance with font size of the keyed-in characters and having a width adjustable in accordance with a width of paper on which the characters will be printed.

Schindler, U.S. Patent No. 6,081,830 teaches a program-specific chat room that enables the user to virtually chat with other users watching the same program.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Umar Arshad whose telephone number is (703) 305-0329. The examiner can normally be reached on Monday – Friday, 9am – 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (703) 308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Kristine Kincaid

KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2

UA
July 14, 2003